

RESOLUTION No. 2008-04-691

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING A POLICY ON THE DISSEMINATION OF SOCIAL SECURITY NUMBERS IN ACCORDANCE WITH SECTION 119.071(5), FLORIDA STATUTES; PROVIDING FOR THE DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, effective October 1, 2007, the Florida Legislature adopted new requirements relating to the collection and dissemination of social security numbers by all municipalities in Florida, and

WHEREAS, Section 119.071(5), Florida Statutes, requires that municipalities adopt a written statement on the collection of social security numbers and certify compliance to the Legislature no later than January 31, 2008, and, also requires that cities maintain a registry of commercial entities that make public records requests for social security numbers and report the same to the Legislature prior to January 31<sup>st</sup> of each year, and

WHEREAS, the City Council would like to adopt this Resolution to be in compliance with Section 119.071(5), Florida Statutes,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Manager is hereby authorized to adopt a written statement on the collection of social security numbers and certify compliance to the Legislature no later than January 31, 2008 and each year thereafter

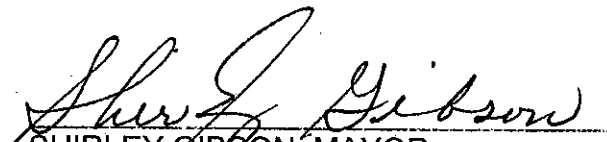
on January 31st, and maintain a registry of commercial entities that make public records requests for social security numbers.

Section 3. APPROVAL: The City Council hereby approves the attached Administrative Policy No. 2008-001 regarding the dissemination and collection of Social Security Numbers.

Section 4. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby instructed to send a certified copy of this Resolution to The Honorable Ken Pruitt, President of The Florida Senate and The Honorable Marco Rubio, Speaker of the Florida House of Representatives.

Section 5. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JANUARY 9, 2008.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Councilman Bratton  
SECONDED BY: Councilman Campbell

**VOTE: 6-0**

Mayor Shirley Gibson  
Vice Mayor Barbara Watson  
Councilman Melvin L. Bratton  
Councilman Oscar Braynon, II  
Councilman Aaron Campbell  
Councilwoman Sharon Pritchett  
Councilman André Williams

<u>  x  </u> (Yes)	<u>    </u> (No)	
<u>  x  </u> (Yes)	<u>    </u> (No)	
<u>  x  </u> (Yes)	<u>    </u> (No)	
<u>    </u> (Yes)	<u>    </u> (No)	Not present
<u>  x  </u> (Yes)	<u>    </u> (No)	
<u>  x  </u> (Yes)	<u>    </u> (No)	
<u>  x  </u> (Yes)	<u>    </u> (No)	

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# City of Miami Gardens

## ADMINISTRATIVE POLICY

DATE OF ISSUE: JANUARY 1, 2008

NUMBER: 2008-001

EFFECTIVE DATE: JANUARY 1, 2008

SUBJECT: SOCIAL SECURITY NUMBER  
COLLECTION & DISSEMINATION

REVISION DATE: N/A

### PURPOSE/INTENT

Effective October 1, 2007, the Florida Legislature adopted new requirements relating to the collection and dissemination of Social Security numbers by all municipalities in Florida. Section 119.071(5) of the Florida Statutes sets forth two major requirements:

1. Adopting a written statement on the collection of Social Security numbers and certifying compliance to the Legislature no later than January 31, 2008;
2. Maintaining a registry of commercial entities making a public records request for Social Security numbers and reporting such activity to the Legislature before January 31 of each year.

Therefore, the City of Miami Gardens adopts the following written policy effective January 1, 2008 in order to comply with the State Statutes.

### POLICY

The City of Miami Gardens collects your Social Security number for the following purposes: Identification and verification; background, credit checks, and drug/medical testing as part of the hiring process; billing and payments; data collection, reconciliation, tracking, benefit processing, and tax reporting; certain grant recipients are also required to provide their Social Security numbers for eligibility and identification purposes. Social Security numbers are also used as a unique numeric identifier and may be used for search purposes.

Section 119.071(5), Florida Statutes, provides a process whereby a "commercial entity" engaged in performance of a "commercial activity" may access Social Security numbers through a public records request under specific conditions. The statutes provide definitions of "commercial entity" and "commercial activity" and provides a list of requirements the commercial entity must meet in order to access Social Security numbers (see attachment). A commercial entity must submit a written request for the Social Security numbers and:

- Verify the written request under penalties of perjury as provided in Section 92.525, Florida Statutes;
- The written request must be legibly signed by an authorized officer, employee, or agent of the commercial entity;
- The written request must contain the commercial entity's name, business, mailing, and location addresses and business telephone number;

## **POLICY (CONTINUED)**

- The written request must contain a statement of the specific purpose for which the commercial entity needs the Social Security numbers and how the Social Security numbers will be used in the performance of a commercial activity.

The City of Miami Gardens may request any other information reasonably necessary to verify the identity of a commercial entity requesting the Social Security numbers and the specific purposes for which the numbers will be used. Any person who makes a false representation in order to obtain a Social Security number commits a third degree felony. Any public officer who violates these provisions on providing Social Security numbers to commercial entities commits a non-criminal infraction, punishable by a fine not to exceed \$500 per violation.

All City Departments that collect Social Security numbers will be required to provide a copy of this policy document to all individuals who are being asked to provide the City with their Social Security number. Department Heads will be responsible for monitoring compliance with this policy in their individual Departments.